



(3)  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Hanry Yu et al..

Application No. 09/975,273

: Group Art Unit: 1651

Filed: October 12, 2001

: Examiner: TO BE ASSIGNED

For: MULTI-LAYER CELL  
ENCAPSULATION FOR TISSUE  
ENGINEERING APPLICATIONS

: Atty Docket: 004814.00003

**RESPONSE TO "NOTICE TO FILE MISSING PARTS"**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION--  
FILING DATE GRANTED** dated November 9, 2001, Applicants submit herewith the  
following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal Sheet Form PTO/SB17 (In Duplicate);
2. Copy of the Notice to File Missing Parts;
3. Petition for a One-Month Extension of Time;
4. Executed Declaration for Patent Application;
5. Executed Assignments with cover sheets (2); and
6. Information Disclosure Statement with Form PTO-1449 and copies of the cited art.

The Assistant Commissioner for Patents is authorized to charge our Deposit Account No. 19-0733 the amount of **\$320.00**, as follows:

\$130.00 Surcharge for Late Filing of executed Declaration;

\$110.00 Petition for One-Month Extension of Time; and

\$ 80.00 Recordation of Assignments (2).

It is not believed that any additional fees for extensions of time or fees for net addition of claims are required. However, in the event that additional fees are necessary, then such fees are authorized to be charged to our Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Date: 2/8/02

By: Paul M. Rivard

1001 G Street N.W.  
11th Floor  
Washington, D.C. 20001  
(202) 508-9100

Paul M. Rivard  
Registration No. 43,446



# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

AMOUNT OF PAYMENT (\$ 320)

Complete If Known	
Application Number	09/975,273
Filing Date	October 12, 2001
First Named Inventor	Harry Yu et al.
Examiner Name	TO BE ASSIGNED
Group / Art Unit	1651
Attorney Docket No.	004814.00003

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money  Other  None  
 Order

### Deposit Account:

Deposit Account Number

19-0733

Deposit Account Name

BANNER & WITCOFF, LTD.

The Commissioner is authorized to: (check all that apply)  
 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

### 2. EXTRA CLAIM FEES

Total Claims	-20 **	=	0	X	Fee from below	=	0	Fee Paid
Independent Claims								
Multiple Dependent								

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	110
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	80
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 320)

## SUBMITTED BY

Name (Print/Type)	Paul M. Rivard	Registration No. Attorney/Agent)	43,446	Telephone	(202) 508-9100
Signature			Date	2/8/02	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/975,273	10/12/2001	Hanry Yu	004814.00003

22907  
BANNER & WITCOFF  
1001 G STREET N W  
SUITE 1100  
WASHINGTON, DC 20001



CONFIRMATION NO. 8862  
FORMALITIES LETTER



\*OC00000007050621\*

Date Mailed: 11/09/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

02/12/2002 MBERHE 00000017 190733 09975273  
01 FC:105 130.00 CH